

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	8:92CR12-2
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
TRACY N. LOMAX, a/k/a AHAD HASAN,))	
)	
Defendant.)	

As a result of conviction for distributing “crack” cocaine, this is an usual case in that the defendant is serving a life sentence. Uncertain about his rights given the retroactive amendment to the “crack” cocaine Guidelines, he seeks the appointment of counsel. Pursuant to 18 U.S.C. § 3006A, I will appoint the Federal Public Defender to consult with the defendant. That said, it will not be my normal practice to appoint counsel simply because a convicted person has a question about a retroactive amendment to the Guidelines. This case is unique.

IT IS ORDERED that the motion to appoint counsel (filing 738) is granted and the Federal Public Defender for the District of Nebraska is appointed to represent the defendant. The Clerk shall send the Defender a copy of this memorandum and order. If the Defender cannot accept the appointment, he shall nominate a substitute from the CJA panel.

January 9, 2008.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge